

The City Council of the City of Mattoon held a regular meeting in the Council Chambers at City Hall on July 1, 2008 at 7:00 p. m. after the 6:30 p.m. caucus session, where the Council discussed pending agenda items; Depot update; parking lots; Mural; Bagelfest; oil & chipping of streets; and bike trail.

Mayor Cline presiding.

Mayor Cline led the Pledge of Allegiance.

The following members of the Council answered roll call physically present: Absent Commissioner Randy Ervin, YEA Commissioner Rick Hall, YEA Commissioner Joe McKenzie, YEA Commissioner David Schilling, YEA Mayor David Cline.

Also physically present were City personnel: City Administrator Alan Gilmore, City Attorney & Treasurer J. Preston Owen, Police Chief David Griffith; Deputy Police Chief Jeff Branson, Fire Chief Mike Chism, Tourism Director Angelia Burgett; Community Development Coordinator Kyle Gill and City Clerk Susan J. O'Brien.

Mayor Cline seconded by Commissioner Schilling moved to approve the consent agenda consisting of minutes of the Regular meeting June 17, 2008, Police Department report for the month of May, 2008, payroll and bills for the last half of June, 2008.

Bills and payroll for the last half of June, 2008

<u>General Fund</u>		
Payroll		\$ 267,194.24
Bills		<u>\$ 106,321.11</u>
	Total	\$ 373,515.35
<u>Hotel Tax Fund</u>		
Payroll		\$ 2,122.08
Bills		<u>\$ 1,029.94</u>
	Total	\$ 3,152.04
<u>Festival Management</u>		
Bills		<u>\$ 14,427.50</u>
	Total	\$ 14,427.50
<u>Insurance & Tort Judgment</u>		
Bills		<u>\$ 46,459.55</u>
	Total	\$ 46,459.55
<u>Capital Project Fund</u>		
Bills		<u>\$ 2,125.89</u>
		\$ 2,125.89
<u>Midtown TIF Fund</u>		
Bills		<u>\$ 11,871.07</u>
	Total	\$ 11,871.07
<u>Water Fund</u>		
Payroll		\$ 28,923.96
Bills		<u>\$ 39,870.06</u>
	Total	\$ 68,794.02
<u>Sewer Fund</u>		
Payroll		\$ 33,317.47
Bills		<u>\$ 113,036.36</u>
	Total	\$ 146,353.83
<u>Cemetery Fund</u>		
Payroll		\$ 5,758.94
Bills		<u>\$ 320.63</u>
	Total	\$ 6,079.57

Motor Fuel Fund

Bills		\$	<u>24,201.00</u>
	Total	\$	24,201.00

Health Insurance

Bills		\$	<u>106,112.43</u>
	Total	\$	106,112.43

Mayor Cline called for discussion. There was no public discussion.

Mayor Cline declared the motion to approve the consent agenda carried by the following vote: Absent Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor Cline.

Mayor Cline opened the floor for public discussion. There was no public discussion.

Commissioner McKenzie seconded by Commissioner Hall moved to adopt Special Ordinance 2008-1281, repealing Special Ordinance 2008-1265, approving the closing of 16th Street adjacent to the Mattoon Area Family YMCA.

SPECIAL ORDINANCE NO. 2008-1281

**A SPECIAL ORDINANCE REPEALING SPECIAL
ORDINANCE NO. 2008 - 1265**

WHEREAS, by Special Ordinance No. 2008 – 1265 the City of Mattoon had authorized the closing of 16th Street in the area of the Mattoon Area Family YMCA (YMCA); and,

WHEREAS, the City has entered into an agreement with an adjacent land owner that will provide the YMCA with parking facilities south of the new building and will not require the parking across 16th Street and hence there in no longer a valid reason 16th Street should be closed; and,

WHEREAS, it is in the best interest of the City not to close 16th Street if it is not necessary for the expansion of the YMCA.

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF MATTOON, COLES COUNTY, A MUNICIPAL CORPORATION, as follows:

Section 1. Recitals. The facts and statements contained in the preamble to this Ordinance are found to be true and correct and are hereby adopted as part of this Ordinance.

Section 2. Special Ordinance No. 2008 – 1265 is hereby repealed in its entirety and is no longer valid.

Section 3. This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

Upon motion by Commissioner McKenzie, seconded by Commissioner Hall, adopted this 1st day of July, 2008, by a roll call vote, as follows:

AYES (Names): Commissioner Hall, Commissioner McKenzie,
Commissioner Schilling, Mayor Cline

NAYS (Names): None

ABSENT (Names): Commissioner Ervin

Approved this 1st day of July, 2008.

/s/ David W. Cline
David W. Cline, Mayor
City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM:

/s/ Susan J. O'Brien

Susan J. O'Brien
City Clerk

/s/ J. Preston Owen

J. Preston Owen
City Attorney & Treasurer

Recorded in the Municipality's Records on July 2, 2008.

Mayor Cline opened the floor for questions or comment. No questions or comments.

Mayor Cline declared the motion carried by the following vote: Absent Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor Cline.

Commissioner Hall seconded by Commissioner McKenzie moved to approve Council Decision Request 2008-884, approving the plans and specifications, and authorizing the Public Works Director to solicit competitive bids for the North 35th Street Sewer Project.

Mayor Cline opened the floor for questions or comments. No questions or comments.

Mayor Cline declared the motion carried by the following vote: Absent Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor Cline.

Commissioner Hall seconded by Commissioner Schilling moved to approve Council Decision Request 2008-885, approving the purchase of a new vacuum and sewer cleaning machine in the amount of \$142,050.00 from Coe Equipment.

Mayor Cline opened the floor for questions or comments. No questions or comments.

Mayor Cline declared the motion carried by the following vote: Absent Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor Cline.

Mayor Cline seconded by Commissioner Hall moved to approve Council Decision Request 2008-886, approving proposals in the amount of \$18,402.00 from Commercial Electric, Inc. to complete electrical work on the 3rd and 4th floors of Mattoon Police Department to be paid with Federal Sharing (Omega) funds.

Mayor Cline opened the floor for questions or comments. Council with input from Chief Griffith and Attorney & Treasurer Owen discussed the balance of the funds and time constraints for expending the funds.

Mayor Cline declared the motion carried by the following vote: Absent Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor Cline.

Commissioner Hall seconded by Commissioner Schilling moved to approve Council Decision Request 2008-887, authorizing the \$18,000 procurement from Midwest Meter for radio-read water meters to replace current meters.

Mayor Cline opened the floor for questions or comments. No questions or comments.

Mayor Cline declared the motion carried by the following vote: Absent Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor Cline.

Commissioner Hall seconded by Commissioner McKenzie moved to adopt Special Ordinance 2008-1282, accepting a gift deed from Wayne Moore for Lot 23 in Block 1 of Moore Pine Acres Addition to the City of Mattoon.

CITY OF MATTOON, ILLINOIS

SPECIAL ORDINANCE NO. 2008-1282

AN ORDINANCE ACCEPTING A GIFT DEED FROM L. WAYNE MOORE FOR LOT 23 IN BLOCK 1 OF MOORE

PINE ACRES ADDITION TO THE CITY OF MATTOON

WHEREAS, The Moore Pine Acres Addition to the City of Mattoon contains small lot (25 ft by 50 ft) located at the end of Oklahoma Street that is an extension of the street right-of-way; and,

WHEREAS, L. Wayne Moore desires to make a gift of the lot to the City of Mattoon; and,

WHEREAS, Attached hereto (and incorporated herein by this reference) are the documents necessary to affect the transfer of the property from L. Wayne Moore to the City of Mattoon, namely the Gift Deed, Illinois Real Estate Transfer Declaration and a Plat Act Affidavit.

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF MATTOON, COLES COUNTY, A MUNICIPAL CORPORATION, as follows:

Section 1. The facts and statements contained in the preamble to this Ordinance are found to be true and correct and are hereby adopted as part of this Ordinance.

Section 2. The Mayor and City Clerk are authorized and directed to execute any and all documents necessary to affect the gift of Lot 23 in Block 1 in Moore Pine Acres Addition to the City of Mattoon.

Section 3. Lot 23 in Block 1 in Moore Pine Acres Addition to the City of Mattoon is being given for no specific purpose and the City of Mattoon may use or dispose of the lot in any manner that it sees fit now or at any time in the future.

Section 4. This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

Upon motion by Commissioner Hall, seconded by Commissioner McKenzie adopted this 1st day of July, 2008, by a roll call vote, as follows:

AYES (Names): Commissioner Hall, Commissioner McKenzie,
Commissioner Schilling, Mayor Cline

NAYS (Names): None

ABSENT (Names): Commissioner Ervin

Approved this 1st day of July, 2008.

/s/ David W. Cline
David W. Cline, Mayor
City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM:

/s/ Susan J. O'Brien
Susan J. O'Brien,
City Clerk

/s/ J. Preston Owen
J. Preston Owen
City Attorney & Treasurer

Recorded in the Municipality's Records on July 2, 2008.

Mayor Cline opened the floor for questions or comments. No questions or comments.

Mayor Cline declared the motion carried by the following vote: Absent Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor Cline.

Commissioner McKenzie seconded by Commissioner Schilling moved to approve Council Decision Request 2008-888, approving a \$4,500.00 grant by the Tourism Advisory Committee from hotel/motel tax funds to Mattoon American Legion Post 88 Baseball for the June 30-July 6, 2008 Firecracker Classic.

Mayor Cline opened the floor for questions or comments. No questions or comments.

Mayor Cline declared the motion carried by the following vote: Absent Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor Cline.

Commissioner Hall seconded by Commissioner McKenzie moved to adopt Special Ordinance 2008-1283, authorizing an addendum to the contract for the sale of Lot 39 in Lake Paradise Subdivision to Joseph and Sheri Gilkerson, current owners of a home

on leased premises at Lot 39, Lake Paradise Subdivision, to allow Joseph and Sheri Gilkerson the continued use and right to own and maintain the dock adjacent to Lot 39 in Lake Paradise Subdivision.

CITY OF MATTOON, ILLINOIS
SPECIAL ORDINANCE NO. 2008-1283

SPECIAL ORDINANCE: AUTHORIZING AN ADDENDUM TO THE CONTRACT FOR THE SALE OF LOT 39 IN LAKE PARADISE SUBDIVISION TO JOSEPH AND SHERI GILKERSON, CURRENT OWNERS OF A HOME ON LEASED PREMISES AT LOT 39, LAKE PARADISE SUBDIVISION

WHEREAS, by Special Ordinance, adopted August 15, 2006, the City Council approved the contract for sale of Lot 39 in Lake Paradise Subdivision to Joseph and Sheri Gilkerson; and

WHEREAS, Joseph and Sheri Gilkerson and previous owners of Lot 39 have constructed and maintained the dock located adjacent to Lot 39 for many years; and

WHEREAS, the proposed Addendum to Contract is attached to the Special Ordinance and incorporated herein by this reference; and,

WHEREAS, the Addendum to Contract contains a clause that the dock shall be maintained in accordance with the terms and conditions of Paragraph 6 of the Declaration of Covenants, Restriction and Limitations for Lake Paradise Subdivision, Paradise Township, Coles County, Illinois, dated May 16, 2006 and recorded with the Coles County Clerk and Recorder on May 18, 2006 as document number 0690359.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF MATTOON, COLES COUNTY, ILLINOIS, as follows:

Section 1. The Mayor and City Clerk are authorized to execute the attached Addendum to Contract allowing Joseph and Sheri Gilkerson the continued use and right to own and maintain the dock adjacent to Lot 39 in Lake Paradise Subdivision.

Section 2. This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

Section 3. This ordinance shall be effective upon its approval as provided by law.

Upon motion by Commissioner Hall, seconded by Commissioner McKenzie, adopted this 1st day of July, 2008, by a roll call vote, as follows:

AYES (Names):	<u>Commissioner Hall, Commissioner McKenzie,</u> <u>Commissioner Schilling, Mayor Cline</u>
NAYS (Names):	<u>None</u>
ABSENT (Names):	<u>Commissioner Ervin</u>

Approved this 1st day of July, 2008.

/s/ David W. Cline
David W.

Cline, Mayor
of Mattoon, Coles County, Illinois

City

ATTEST: APPROVED AS TO FORM:

/s/ Susan J. O'Brien
Susan J. O'Brien, City Clerk

/s/ J. Preston Owen
J. Preston Owen, City Attorney

Recorded in the Municipality's Records on July 2, 2008.

Mayor Cline opened the floor for questions or comments. No questions or comments.

Mayor Cline declared the motion carried by the following vote: Absent Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor Cline.

Mayor Cline seconded by Commissioner Hall moved to approve Council Decision Request 2008-889, authorizing the purchase of one 2008 Ford Crown Victoria Police Interceptor from Landmark Ford of Springfield in the amount of \$20,897.00 to be paid with Federal Sharing (Omega) funds for use by the Mattoon Police Department K-9 Unit.

Mayor Cline opened the floor for questions or comments. No questions or comments.

Mayor Cline declared the motion carried by the following vote: Absent Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor Cline.

Mayor Cline seconded by Commissioner McKenzie moved to recess to closed session at 7:07 p.m. pursuant to the Illinois Open Meetings Act for the purpose of considering the employment, performance or dismissal of employees of the municipality (5 ILCS 120 (2) (c) (1)); and the discussion of minutes of meeting lawfully closed for purposes of the semi-annual review as mandated by Section 2.06 (5 ILCS 120(2) (c) (21)).

Mayor Cline opened the floor for questions or comments. No questions or comments.

Mayor Cline declared the motion carried by the following vote: Absent Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor Cline.

Council reconvened at 7:53 p.m.

Commissioner Schilling seconded by Commissioner McKenzie moved to approve release of all Executive Session minutes from May 3, 1991 through June 30, 2008, except for May 3, 16, 23, 1991; September 5, 2006; November 7, 2006; December 5, 19, 2006; January 15, 2008; February 19, 2008; April 1, 15, 2008; May 6, 2008; June 3, 17, 2008; and to approve the destruction of Executive Session verbatim records that have been approved for release in written form as follows: March 21, 2006; April 4, 2006; July 5, 18, 2006; August 1, 2006; September 19, 2006; October 3, 2006; and November 21, 2006.

Mayor Cline declared the motion carried by the following vote: Absent Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor Cline.

Commissioner Hall seconded by Commissioner McKenzie moved to adjourn at 7:54 p.m.

Mayor Cline declared the motion carried by the following vote: Absent Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor Cline.

/s/ Susan J. O'Brien
City Clerk